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the constitutional prohibitions against special legislation. The questions arising under the various attempts at classification are treated with brevity and clearness with references to all the leading cases, e.g.—*Wheeler v. Philadelphia*, 77 Pa. 338 (1875), and *Com. v. Moir*, 199 Pa. 534. No attempt is made to refer to every case in which the subject has been mentioned as the author properly regards that as the province of a digest rather than of a book of commentaries, but sufficient cases are cited to make clear every statement.

Mr. White's book is a valuable addition to the legal literature of Pennsylvania. It contains an accurate, clearly expressed and broad treatment of every question which has been dealt with in Pennsylvania Courts in which the interpretation of the Constitutions has been involved. The verbatim quotations from judicial opinions while occasionally too lengthy, serve to supplement the careful commentaries of the author. To everyone interested in questions of constitutional law whether as a practitioner, a legislator or a student Mr. White's work will prove most useful and of great interest.

R. D. J.

THE INTERNATIONAL LAW AND DIPLOMACY OF THE RUSSO-JAPANESE WAR. By AMOS S. HERSHEY, Ph.D. Professor of Political Science and International Law in Indiana University. New York: The MacMillan Company 1906.

To those who are in search of an interesting narrative of the diplomatic incidents connected with the Russo-Japanese war the above book will prove a gratifying discovery. It is written in an easy style and holds one's interest remarkably well for a technical work. Here indeed lies an important fact, the book is not technical and therefore the student and the international lawyer must accept its statements with several grains of salt.

In the first place the plan of the book is poor. There is no logical sequence in the treatment of the various topics and no division between the problems presented by incidents of land warfare and those arising upon the sea. Then too the author gives you frankly to understand at an early stage that he does not pretend to be impartial and the result is that this essay is almost offensively pro-Japanese. This expression is used advisedly because a work of this kind should be written absolutely without prejudice if it is to be of any use at all. There may be other places but so far as the reviewer can ascertain the only point where the Japanese

are severely criticised is at page 263 when in speaking of the capture by the Japanese of the Russian torpedo boat *Ryesstutelm* which had sought refuge in the Chinese port of Che-Foo, Mr. Hershey says: "The Japanese Government refused to offer any apology, disavowal, or restitution for this gross violation of Chinese Neutrality, and it must be admitted that her conduct in this matter, although altogether exceptional, constitutes a blot upon a record which was otherwise remarkably clean and spotless from the standpoint of International Law."

In order to preserve the fiction of this spotless record Mr. Hershey vehemently defends Japan's initiation of hostilities without a declaration of war, although the most casual investigation of authorities would show him that the precedents are against such action, and he excuses the open violation of Korean neutrality by the Japanese on the specious ground so frequently employed by the Japanese themselves that Korea being a weak and helpless nation was not entitled to fair and equal treatment but that her neutrality could be freely violated on the theory that "might makes right." It is not contended nor does the reviewer wish to give the impression that Russia was guiltless of infractions of International Law. As a matter of fact neither belligerent behaved fairly towards the other and the world at large. It is surely a mistake, however, to turn a legal treatise into a bit of special pleading and for this reason it is thought that this book while of undoubted historical interest will not prove to be a valuable or a permanent addition to the bibliography of International Law.

T. J. G.

THE PRINCIPLES OF GERMAN CIVIL LAW. By ERNEST J. SCHUSTER, LL.D. of Lincoln's Inn, Barrister-at-Law. Oxford: Clarendon Press, 1907. Pp. xlvi, 684.

This work deserves notice not only for its intrinsic usefulness but also for what its mere publication signifies to the lawyers of all countries where the English Common Law prevails.

The reasons which will cause it to attract attention in the United States are fairly traceable to the widespread and deplorable perversion of the ancient and scientifically defined rule of *stare decisis*. Notwithstanding the occasional instances between the times of Coke and Blackstone when the real juridical function of this great principle was employed to defy logic and solemnly sustain absurdities it had